

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

Index No. \_\_\_\_\_  
Purchased \_\_\_\_\_

-----X  
LAQUANTES BLUETT, which the police misspelled  
LANQUANTES BLUETT,

Plaintiff,

VERIFIED COMPLAINT

-against-

THE CITY OF NEW YORK, P.O. JAMAL HAIRSTON  
OF NBMN, TA XREG #941875, UNDERCOVER  
OFFICER WITH SHIELD #CO-0039, UNDERCOVER  
GHOST WITH SHIELD #CO-0243, DET.  
CHRISTOPHER HEREDIA OF NBMN, SHIELD  
#1339, DET. KEITH CARPENTER OF NBMN,  
SHIELD #5123, DET. ABEL JOSEPH OF FLEET  
SERVICES, SHIELD #2050, THE TACTICAL TEAM  
SGT. UNDER DOCKET #2012NY008960 S/H/A  
JOHN/JANE DOE I AND OTHER NYPD OFFICERS  
S/H/A JOHN/JANE DOE II-V,

Defendants

-----X

LAQUANTES BLUETT, by his attorneys, PAPA, DEPAOLA AND  
BROUNSTEIN, respectfully alleges as follows:

**AS AND FOR A FIRST CAUSE OF ACTION**

1. At all times mentioned, Plaintiff LAQUANTES BLUETT was a resident of New York County, City and State of New York.
2. At all times mentioned, Defendant CITY OF NEW YORK, was and is a municipal corporation duly organized and existing by virtue of the laws of the State of New York.
3. On or about the 8<sup>th</sup> day of November, 2013 and within ninety (90) days after some of the claims herein arose, the Plaintiff served a Notice of Claim in writing sworn to on their behalf upon the Defendant CITY OF NEW YORK,

by delivering a copy thereof in duplicate to the officer designated to receive such process personally, which Notice of Claim advised the Defendant CITY OF NEW YORK, of the nature, place, time and manner in which the claim arose, the items of damage and injuries sustained so far as was then determinable.

4. At least thirty (30) days have elapsed since the service of the claim prior to the commencement of this action and adjustment of payment thereof has been neglected or refused, and this action has been commenced within one year and ninety (90) days after the happening of the event upon which the claims are based.
5. The Plaintiff has complied with the request of the municipal Defendant's for an oral examination pursuant to Section 50-H of the General Municipal Law and/or the Public Authorities Law and/or no such request was made within the applicable period.
6. Upon information and belief, at all times mentioned, Defendants **P.O. JAMAL HAIRSTON OF NBMN, TA XREG #941875, UNDERCOVER OFFICER WITH SHIELD #CO-0039, UNDERCOVER GHOST WITH SHIELD #CO-0243, DET. CHRISTOPHER HEREDIA OF NBMN, SHIELD #1339, DET. KEITH CARPENTER OF NBMN, SHIELD #5123, DET. ABEL JOSEPH OF FLEET SERVICES, SHIELD #2050, THE TACTICAL TEAM SGT. UNDER DOCKET #2012NY008960 S/H/A JOHN/JANE DOE I AND OTHER NYPD OFFICERS S/H/A JOHN/JANE DOE II-V**, were and are police officers of the Defendant City of New York, and at all times herein

were acting in such capacity as the agents, servants and employees of the Defendant, **THE CITY OF NEW YORK**.

7. On or about January 28, 2012, at approximately 12:45 P.M. in the vicinity of the inside of 2025 First Avenue, County of New York, State of New York the Defendants jointly and severally in their capacity as police officers, wrongfully touched, grabbed, handcuffed and seized the Plaintiff **LAQUANTES BLUETT**, in an excessive manner about his person, causing him physical pain and mental suffering. At no time did the Defendants have legal cause to grab, handcuff seize or touch the Plaintiff, nor did the Plaintiff consent to this illegal touching nor was it privileged by law.

**AS AND FOR A SECOND CAUSE OF ACTION**

8. Plaintiff repeats, reiterates and re-alleges all of the allegations contained in Paragraphs "1" through "7" with full force and effect as though set forth at length herein.
9. On or about January 28, 2012, at approximately 12:45 P.M. in the vicinity of the inside of 2025 First Avenue, County of Bronx, State of New York the Defendants, jointly and severally did place Plaintiff **LAQUANTES BLUETT** in imminent fear of physical contact by approaching the Plaintiff with their loaded firearms, outstretched limbs and other objects which they used to physically seize, strike and restrain the Plaintiff. All of the above actions placed the Plaintiff in imminent fear of physical contact. At no time did the Plaintiff consent to the unlawful actions of the Defendants.

**AS AND FOR A THIRD CAUSE OF ACTION**

10. Plaintiff repeats, reiterates and re-alleges all of the allegations contained in Paragraphs "1" through "9" with full force and effect as though set forth at length herein.
11. On or about January 28, 2012, at approximately 12:45 P.M. in the vicinity of the inside of 2025 First Avenue, County of New York, State of New York the Defendants, jointly and severally without any warrant, order or other legal process and without any legal right, wrongfully and unlawfully arrested the Plaintiff, restrained him and his liberty and then took him into custody to a police station in the County of New York and there charged him with the crimes on Docket No. 2012NY008960. The Plaintiff was thereafter held in custody over the course of approximately eighteen (18) months until he was released on his own recognizance. The Defendants intentionally confined the Plaintiff without his consent and the confinement was not otherwise privileged by law and, at all times, the Plaintiff was conscious of his confinement.

**AS AND FOR A FOURTH CAUSE OF ACTION**

12. Plaintiff repeats, reiterates and re-alleges all of the allegations contained in Paragraphs "1" through "11" with full force and effect as though set forth at length herein.
13. On or about January 28, 2012, at approximately 12:45 P.M. in the vicinity of the inside of 2025 First Avenue, County of New York, State of New York the Defendants, jointly and severally without any valid warrant, order or other legal process and without any legal right, wrongfully and unlawfully

imprisoned the Plaintiff, restrained him and his liberty and then took him into custody and causing him to be incarcerated as a detainee in the City of New York's Correctional Facility. The Plaintiff was thereafter held in custody over the course of approximately eighteen (18) months before he was released. The Defendants intentionally confined the Plaintiff without his consent and the confinement was not otherwise privileged by law and, at all times, the Plaintiff was conscious of his confinement.

**AS AND FOR A FIFTH CAUSE OF ACTION**

14. Plaintiff incorporates, repeats, and re-alleges all of the allegations contained in Paragraphs "1" through "13" with full force and effect as though set forth at length herein.
15. Upon information and belief, on or about January 28, 2012 and from that time until the dismissal of charges on or about August 13, 2013 which was a favorable termination for the accused by the Honorable Judge presiding at, Bronx County Supreme Court, Defendants **CITY OF NEW YORK, P.O. JAMAL HAIRSTON OF NBMN, TA XREG #941875, UNDERCOVER OFFICER WITH SHIELD #CO-0039, UNDERCOVER GHOST WITH SHIELD #CO-0243, DET. CHRISTOPHER HEREDIA OF NBMN, SHIELD #1339, DET. KEITH CARPENTER OF NBMN, SHIELD #5123, DET. ABEL JOSEPH OF FLEET SERVICES, SHIELD #2050, THE TACTICAL TEAM SGT. UNDER DOCKET #2012NY008960 S/H/A JOHN/JANE DOE I AND OTHER NYPD OFFICERS S/H/A JOHN/JANE DOE II-V**, deliberately and maliciously prosecuted Plaintiff **LAQUANTES BLUETT**, an innocent man without any probable cause whatsoever, by filing or causing a criminal court

complaint to be filed in the Criminal Court of the City of New York, New York County, for the purpose of falsely accusing the plaintiff of violations of the criminal laws of the State of New York.

16. The Defendants, jointly and severally, their agents, servants or employees failed to take reasonable steps to stop the prosecution of the Plaintiff and instead maliciously and deliberately provided false and/or incomplete information to the District Attorney's office to induce prosecution of the Plaintiff and due to the absence of probable cause malice can be inferred.
17. The commencement of these criminal proceedings under Docket No. 2012NY008960 was malicious and began in malice and without probable cause, so that the proceedings could succeed by the Defendants.
18. As a result of the malicious prosecution, Plaintiff was deprived of his liberty and suffered the humiliation, mental anguish, indignity and frustration of an unjust criminal prosecution. The Plaintiff made multiple court appearances to defend his liberty against these unjust charges.

**AS AND FOR A SIXTH CAUSE OF ACTION**

**(This Cause of action only applies against the Individually named Police Officers not the City of New York or officers sued in their official capacity)**

19. Plaintiff repeats, reiterates, and re-alleges all of the allegations contained in paragraphs "1" through "18" as it set forth at length herein.
20. Defendants **P.O. JAMAL HAIRSTON OF NBMN, TA XREG #941875, UNDERCOVER OFFICER WITH SHIELD #CO-0039, UNDERCOVER GHOST WITH SHIELD #CO-0243, DET. CHRISTOPHER HEREDIA OF**

NBMN, SHIELD #1339, DET. KEITH CARPENTER OF NBMN, SHIELD #5123, DET. ABEL JOSEPH OF FLEET SERVICES, SHIELD #2050, THE TACTICAL TEAM SGT. UNDER DOCKET #2012NY008960 S/H/A JOHN/JANE DOE I AND OTHER NYPD OFFICERS S/H/A JOHN/JANE DOE II-V were at all times relevant, duly appointed and acting officers of the City of New York Police Department.

21. At all times mentioned herein, said police officers were acting under color of law, to wit: the statutes, ordinances, regulations, policies and customs and usage of the State of New York and/or City of New York.
22. Plaintiff LAQUANTES BLUETT is and at all times relevant herein, a citizen of the United States and a resident of New York County in the State of New York and brings this cause of action pursuant to 42 United States Code, Section 1983 and 42 United States Code, Section 1988.
23. The Defendant CITY OF NEW YORK is a municipality duly incorporated under the laws of the State of New York.
24. On or about January 28, 2012, the Defendants, armed police, while effectuating the seizure of the Plaintiff LAQUANTES BLUETT, did search, seize, assault and commit a battery and grab the person of the Plaintiff without a court authorized arrest or search warrant. They did physically seize the person of the Plaintiff during the arrest process in an unlawful and excessive manner. The Plaintiff was falsely arrested, unlawfully imprisoned and maliciously prosecuted without the Defendants possessing probable cause to do so.

25. The above action of the Defendants resulted in the Plaintiff being deprived of the following rights under the United States Constitution:
- a. Freedom from assault to his person;
  - b. Freedom from battery to his person;
  - c. Freedom from illegal search and seizure;
  - d. Freedom from false arrest;
  - e. Freedom from malicious prosecution;
  - f. Freedom from the use of excessive force during the arrest process;
  - g. Freedom from unlawful imprisonment;
  - h. Freedom from loss of his liberty.
26. The Defendants subjected the Plaintiff to such deprivations, either in a malicious or reckless disregard of the Plaintiff's rights or with deliberate indifference to those rights under the fourth and fourteenth amendments of the United States Constitution.
27. The direct and proximate result of the Defendants' acts are that the Plaintiff has suffered severe and permanent injuries of a psychological nature. He was forced to endure pain and suffering, all to his detriment.

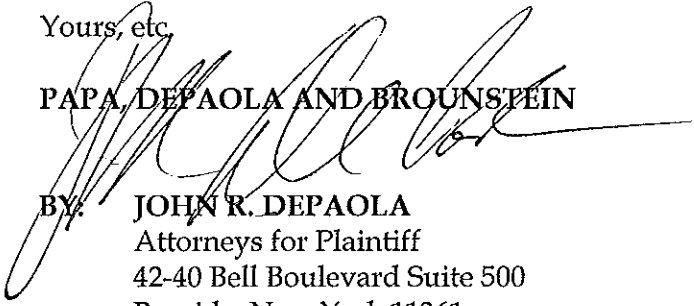


WHEREFORE, Plaintiff demands judgment against the Defendants, together with the costs and disbursements of this action in the amount of damages greater than the jurisdictional limit of any lower court where otherwise have jurisdiction, together with attorneys' fees and costs for bringing this case and punitive damages.

Dated: Bayside, New York  
January 13, 2014

Yours, etc.

PAPA, DEPAOLA AND BROUNSTEIN

BY:  JOHN R. DEPAOLA  
Attorneys for Plaintiff  
42-40 Bell Boulevard Suite 500  
Bayside, New York 11361  
(718) 281-4000

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

Index No. \_\_\_\_\_  
Purchased \_\_\_\_\_

-----X  
LAQUANTES BLUETT, which the police misspelled  
LANQUANTES BLUETT,

VERIFICATION

Plaintiff,

-against-

THE CITY OF NEW YORK, P.O. JAMAL  
HAIRSTON OF NBMN, TA XREG #941875,  
UNDERCOVER OFFICER WITH SHIELD #CO-0039,  
UNDERCOVER GHOST WITH SHIELD #CO-0243,  
DET. CHRISTOPHER HEREDIA OF NBMN,  
SHIELD #1339, DET. KEITH CARPENTER OF  
NBMN, SHIELD #5123, DET. ABEL JOSEPH OF  
FLEET SERVICES, SHIELD #2050, THE TACTICAL  
TEAM SGT. UNDER DOCKET #2012NY008960  
S/H/A JOHN/JANE DOE I AND OTHER NYPD  
OFFICERS S/H/A JOHN/JANE DOE II-V,

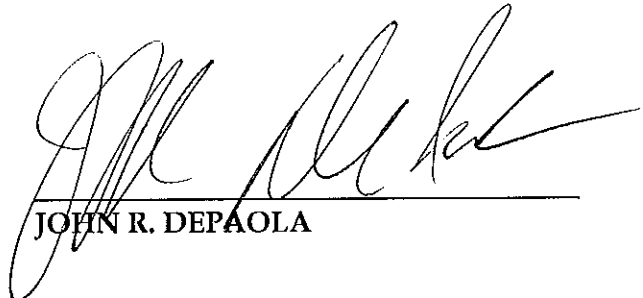
Defendants

-----X

I, JOHN R. DEPAOLA, an attorney admitted to practice in the courts of New York State, state that I am a member of the firm of PAPA, DEPAOLA AND BROUNSTEIN, the attorneys of record for Plaintiffs in the within action; I have read the foregoing and know the contents thereof; the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true. The reason this verification is made by me and not by Plaintiff is because Plaintiff resides outside the county where deponent maintains his office.

I affirm that the foregoing statements are true, under the penalties of perjury.

Dated: Bayside, New York  
January 13, 2014

  
\_\_\_\_\_  
JOHN R. DEPAOLA

Index No. :

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

---

LAQUANTES BLUETT, which the police misspelled LANQUANTES BLUETT,

Plaintiff,

-against-

THE CITY OF NEW YORK, P.O. JAMAL HAIRSTON OF NBMN, TAX REG #941875,  
UNDERCOVER OFFICER WITH SHIELD #CO-0039, UNDERCOVER GHOST WITH SHIELD  
#CO-0243, DET. CHRISTOPHER HEREDIA OF NBMN, SHIELD #1339, DET. KEITH  
CARPENTER OF NBMN, SHIELD #5123, DET. ABEL JOSEPH OF FLEET SERVICES, SHIELD  
#2050, THE TACTICAL TEAM SGT. UNDER DOCKET #2012NY008960 S/H/A JOHN/JANE  
DOE I AND OTHER NYPD OFFICERS S/H/A JOHN/JANE DOE II-V

Defendants

---

SUMMONS AND VERIFIED COMPLAINT

---

PAPA DEPAOLA AND BROUNSTEIN  
BY: JOHN R. DEPAOLA  
Attorney for Plaintiffs  
42-40 Bell Boulevard  
Bayside, NY 11361  
Tel. (718) 281-4000

---

To: CORPORATION COUNSEL OF NEW YORK CITY

Attorney(s) for Defendants

---

Service of a copy of the within is hereby admitted.

Dated

\_\_\_\_\_

Attorney(s) for